

Docket Number SC-VI-82-001

NPDES Permit No. NM 0026573

Company Name RANCHERS EXPLORATION
AND DEVELOPMENT CORPORATION

Date 4/15/82



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CERTIFIED MAIL: RETURN RECEIPT REQUESTED (P 333 725 874)

Mr. Paul Matthews
Vice President - Operations
Ranchers Exploration and Development Corporation
P.O. Box 6217
Albuquerque, New Mexico 87107

Re: Show Cause Order Docket No. SC-VI-82-001
NPDES Permit No. NM0026573

Dear Mr. Matthews:

Violation of a Federal NPDES permit requires the Environmental Protection Agency to take appropriate enforcement action to assure compliance. Pursuant to the Clean Water Act (33 U.S.C. 1251 et seq.), the enclosed Show Cause Order is hereby served on you and Ranchers Exploration and Development Corporation for the violations described therein.

The procedures for determining the date of the show cause meeting are given in the attached Order.

Sincerely,

/s/ Kenton Kirkpatrick
for

Myron O. Knudson, P.E.
Director, Water Management Division (6W)

Enclosure

cc: Charles Nylander
New Mexico Environmental
Improvement Division

bcc: Knudson (6W)
Faison, (EN-338)
2-Ramirez (6ES-S)
Stender, (6W-EA)
Lee (6OPA)
R. File (6WE)
Ballard (6W-EA) ✓
Corley (6ORC)

04/07/82:HOLLEY:p1:74375:ORDER&123/NM26573:BV:095H0L01&2&ORDER:ID-HOLLEY10

6W-EC 6W-E 6ORC
Ferguson Hartung Benthul

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

IN THE MATTER OF	§	DOCKET NO. SC-VI-82-001
	§	
RANCHERS EXPLORATION AND DEVELOPMENT CORPORATION	§	
	§	
PROCEEDINGS UNDER SECTION 309(a)(3) and (a)(4), CLEAN WATER ACT, [33 USC 1319(a)(3) and (a)(4)],	§	FINDINGS OF VIOLATION AND
	§	AND
in RE: NPDES PERMIT NO. NM0026573	§	ORDER TO SHOW CAUSE

The following FINDINGS are made and ORDER issued pursuant to the authority vested in the Administrator of the Environmental Protection Agency by the above referenced statute (hereinafter the Act) and duly delegated to the Regional Administrator, Region 6, and duly redelegated to the undersigned Director, Water Management Division, Region 6.

I.

Ranchers Exploration and Development Corporation (hereinafter referred to as the Corporation) is a Corporation located in the State of New Mexico and having a facility known as the Johnny M. Mine, which is located at Sections 7 and 18E, T13N, R8W, NMPM. The mailing address for the Corporation is P.O. Box 6217, Albuquerque, New Mexico 87107.

II.

Pursuant to the authority of Section 402(a)(1) of the Act [33 USC 1342(a)(1)], Region 6 issued National Pollutant Discharge Elimination System (NPDES) permit No. NM0026573 to the Corporation on April 1, 1976, with a scheduled effective date of July 3, 1976. This permit was adjudicated by the Corporation, which resulted in the permit becoming fully effective on February 13, 1981. The permit authorizes the discharge of specified qualities and quantities of effluent to San Mateo Creek. The permit also requires the submission of discharge monitoring reports and noncompliance reports.

III.

As a result of violating the conditions of NPDES Permit No. NM0026573, Administrative Order VI-81-086 was issued to the Corporation on June 25, 1981. Part B of the ORDER stated "That the corporation immediately comply with all conditions of permit NM0026573".

IV.

FINDINGS OF VIOLATION

Based on information provided by the Environmental Protection Agency, the State of New Mexico, and the Corporation, the Corporation has violated Part I. A-2 of the permit and Administrative Order VI-81-086, Part B, in that the following parameter violations are noted for outfall 001:

<u>Date</u>	<u>Parameter</u>	<u>Violation</u>	<u>Permit Limits</u>	<u>No. of Excursions</u>
10-81	Total Radium (avg)	13.74 p Ci/L	3 p Ci/L	
10-81	Total Radium (max)	42.10 p Ci/L	10 p Ci/L	2
11-81	Total Radium (avg)	6.60 p Ci/L	3 p Ci/L	
11-81	Total Radium (max)	14.42 p Ci/L	10 p Ci/L	1
11-81	Total Radium (avg)	9.81 p Ci/L	3 p Ci/L	
12-81	Total Radium (max)	16.98 p Ci/L	10 p Ci/L	1
1-12-81	Total Radium (max)	13.81 p Ci/L	10 p Ci/L	1

V.

Issuance of this ORDER does not preclude the pursuit of additional enforcement action for the violations cited herein.

VI.

ORDER

Based on the foregoing FINDINGS OF VIOLATION and pursuant to the authority vested in the Administrator under Section 309(a)(3) of the Act [33 USC 1319(a)(3)], and duly delegated to the Regional Administrator, Region 6 and

duly redelegated to the undersigned Director, Water Management Division Region 6, it is ORDERED:

That the Corporation appear at the Region 6 offices of the United States Environmental Protection Agency, 1201 Elm Street, 28th Floor of the First International Building, Dallas, Texas, before the undersigned or designee, to SHOW CAUSE why the Corporation has not complied with the mandate of Section 301 of the Act and to SHOW CAUSE why the EPA should not take further enforcement action against the Corporation.

The Corporation shall arrange for the SHOW CAUSE meeting to be held prior to May 14, 1982. The Corporation shall submit all written material relevant to the above mentioned issues on which it intends to rely in making its showing approximately ten (10) days prior to the scheduled meeting.

To arrange the meeting and to provide any comments or questions concerning this matter, please contact Kenneth Holley of our office at telephone (214) 767-4375.

The effective date of this ORDER shall be the date it is received by the Corporation.

DATED: This 15th day of April, 19 82.

/s/ Kenton Kirkpatrick

for

Myron O. Knudson, P.E.
Director, Water Management Division (6W)